

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

LEE D. WEST and LYNN M. WEST,)	
Plaintiffs,)	
)	
v.)	No. 08 CV 2154
)	
COPIAGUE FUNDING CORPORATION, et al.,)	Honorable Robert W. Gettleman
Defendants.)	

**DEFENDANT COPIAGUE FUNDING CORPORATION'S WITHDRAWAL of
MOTION TO DISMISS PURSUANT TO RULES 12(b)(1) AND 12(b)(6)
OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Defendant, Copiague Funding Corporation, by its counsel, John P. Duggan, Duggan Law Offices, respectfully withdraws its Motion to dismiss Plaintiffs' Complaint pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, and in support of its motion, Copiague states as follows:

1. Copiague Funding Corporation filed its 12(b)(1) and 12(b)(6) Motion to Dismiss on June 20, 2008 (Docket Document 19).
2. That same date, approximately simultaneously, Plaintiffs West filed their Amended Complaint (Docket Document 18), rendering the Motion to Dismiss moot

WHEREFORE, Defendant, Copiague Funding Corporation, respectfully withdraws its Motion to Dismiss filed June 20, 2008 (Docket Document 19), and respectfully requests that this matter be withdrawn from the Court's call on June 25, 2008

Dated: June 24, 2008

COPIAGUE FUNDING CORPORATION

By: /s/ John P. Duggan
one of its attorneys

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